

### **REMARKS**

Applicants thank Examiner Stockton for the review of the pending claims. Claims 2, 4-7 and 9-11 are pending. Claims 4-7 and 9 are currently amended. By this amendment, no new matter is added. In view of the above amendment, Applicants believe the pending application is in condition for allowance.

### **Claim Objections**

The Examiner objected to claims 4-7 and 9 for the informality of not having a period at the end of each of these claims. Applicants amended these claims to include the required period and believe these claims are now in condition for allowance. Withdrawal of this objection is respectfully requested.

### **35 U.S.C. § 102 Rejections**

The Examiner rejected claims 2, 4, 5, 10 and 11 as allegedly being anticipated by Bando et al., *Chemistry – A European Journal*, October 18, 2002, 8(20), pages 4781-4790 (“Bando”). Applicants respectfully traverse this rejection.

Section 102(a) of the United States Patent Laws states, “[a] person shall be entitled to a patent unless – (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent.” (35 U.S.C. § 102(a)).

Bando has a publication date of October 8, 2002. This application claims a Foreign Application Priority Date of March 8, 2002. Thus, Bando is not a proper reference under 35 U.S.C. § 102(a). In further support of these facts, Applicants respectfully submit a copy of the Verification for Translation together with a copy of the English translation. The Verification states that the translation of Japanese Patent Application No. 2002-63608 filed to the Japanese Patent Office on March 8, 2002, is a true, accurate and faithful translation. Applicants believe the submission of

Application No. 10/507,004  
Amendment dated July 15, 2008  
After Final Office Action of May 20, 2008

Docket No.: SAE-0023

these documents fully addresses the 102 rejection. Applicants respectfully request withdrawal of this rejection.

### **CONCLUSION**

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge the Deposit Account No. 18-0013, under Order No. SAE-0023 from which the undersigned is authorized to draw.

Dated: July 15, 2008

Respectfully submitted,

By /s/ Linda D. Kennedy  
Linda D. Kennedy  
Registration No.: 44,183  
RADER, FISHMAN & GRAUER PLLC  
Correspondence Customer Number: 10291  
Attorney for Applicant

Attachments: Verification for Translation  
English Translation of JP Appl. No. 2002-63608